



VEINK.033A

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Samuel M. Shaolian et al. ) Group Art Unit 3732  
Appl. No. : 10/642,399 )  
Filed : August 15, 2003 )  
For : ARTICULATING SPINAL )  
FIXATION ROD AND )  
SYSTEM )  
Examiner : Eduardo C. Robert )

RESPONSE TO RESTRICTION REQUIREMENT

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

In response to the restriction requirement, Applicant elects Group III (Claims 13-18) for prosecution in the present application. With respect to the Species, Applicant elects the species identified by the Examiner as Species II (Figures 4, 4A and 4B) and sub-species D (Figure 2E). Applicant submits that Claims 13-18 read on the elected species and sub-species. The present election is being made without traverse.

Respectfully submitted,

KNOBBE, MARTENS, OLSON &amp; BEAR, LLP

Dated: 4-18-05By: Rabinder N. Narula

Rabinder N. Narula  
Registration No. 53,371  
Attorney of Record  
Fourteenth Floor  
2040 Main Street  
Irvine, CA 92614  
(949) 760-0404

1663376  
041805